

REMARKS/ARGUMENTS

Favorable reconsideration of the present application in light of the following discussion is respectfully requested.

Claims 1 and 3-36 are pending in this application, of which Claim 1 is amended and Claims 7-36 have been withdrawn from consideration. Amended Claim 1 finds support in the original claims, paragraph [0058] and Fig. 6. No new matter has been added.

In the outstanding Office Action, Claims 1, 3 and 4 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,148,168 (Hirai); Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hirai in view of U.S. Patent No. 6,342,963 (Yoshino); and Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hirai in view of Yoshino and further in view of U.S. Patent No. 6,115,165 (Tada).

The rejections in view of Hirai are respectfully traversed in view of independent amended Claim 1 for the following reasons. The Office Action at item 6 states Hirai describes rotating polygon mirror **240** as rotatably driving laser light as it is deflected off the facets of polygon mirror **240**, and further that the polygon mirror **240** is the holding member because it serves the function of driving the light by receiving and deflecting the light. In contrast, Amended Claim 1 recites in part:

**“rotating the laser light emitting element**, which is rotatably held by a holding member, about a rotational central axis of the holding member to move a laser light emitting position of the laser light emitting element in a sub-scanning direction with an optical axis of the optical beam being inclined with respect to the rotational central axis of the holding member, based on the result of the reading.”

As previously commented, the Office Action states Hirai describes rotating a polygon mirror **240**, where the polygon mirror **240** is a holding member. Hirai, however, does not describe **rotating a laser light emitting element**, as defined in amended Claim 1 and recited above. In particular, Hirai does not describe rotating a laser light emitting element about a

rotation central axis of a holding member rotatably holding the laser light emitting element, as recited in Claim 1. Further, Hirai does not describe rotating the laser light emitting element to move a position thereof in a sub-scanning direction with an optical axis of an optical beam of the element inclined with respect to a rotational central axis of the holding member, as recited in Claim 1. None of the other cited references describe these features of Claim 1. Therefore, it is believed the rejections under 35 U.S.C. §§102 and 103 are overcome.

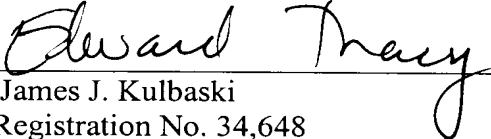
Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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